Reg. No. KL/TV[illegible]/12

Government of Kerala
1983



KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXVIII] Trivandrum, Monday, 14th November 1983 / 23rd Karthika 1905 [No. 1370

SECRETARIAT OF THE KERALA LEGISLATURE

NOTIFICATION

No. 11297/LA4A/83. *Dated, Trivandrum, 14th November*, 1983.

The Kerala Revenue Recovery (Amendment) Bill, 1983 together with the Statement of Objects and Reasons and the Financial Memorandum is published, under Rule 69 of the Rules of Procedure and Conduct of Business in the Kerala Legislative Assembly.

DR. R. PRASANNAN,
Secretary,
Legislative Assembly.

PRINTED AND PUBLISHED BY THE S. G. P. AT THE GOVERNMENT PRESS, TRIVANDRUM, 1983.

33/4821/MC.

Seventh Kerala Legislative Assembly

Bill No. 69

THE KERALA REVENUE RECOVERY (AMENDMENT) BILL, 1983

A

BILL

to amend the Kerala Revenue Recovery Act, 1968.

Preamble.—WHEREAS it is expedient to amend the Kerala Revenue Recovery Act, 1968, for the purposes hereinafter appearing;

BE it enacted in the Thirty-fourth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Kerala Revenue Recovery (Amendment) Act, 1983.

(2) It shall be deemed to have come into force on the 22nd day of February, 1983.

2. *Amendment of section* 7.—In section 7 of the Kerala Revenue Recovery Act, 1968 (15 of 1968) (hereinafter referred to as the principal Act), for the words "shall show the demand in writing to the defaulter", the words "shall serve the demand in writing on the defaulter" shall be substituted.

3. *Amendment of section* 74.—In section 74 of the principal Act, for the words "notice or order", wherever they occur, the words "notice, demand or order" shall be substituted.

4. *Repeal and saving.*—(1) The Kerala Revenue Recovery (Amendment) Ordinance, 1983 (28 of 1983), is hereby repealed.

(2) Notwithstanding such repeal, anything done or deemed to have been done or any action taken or deemed to have been taken under the principal Act as amended by the said Ordinance shall be deemed to have been done or taken under the principal Act as amended by this Act.

STATEMENT OF OBJECTS AND REASONS

Section 7 of the Kerala Revenue Recovery Act, 1968 provided that the persons employed to make the attachment of movable properties shall show the demand in writing to the defaulter and that if he fails to remit the amount in arrear together with the interest thereon and the cost of process immediately, the demand in writing shall be the authority for making the attachment. Experience has revealed that the procedure prescribed in section 7 of the Act to show the demand in writing to the defaulter, prevents the Revenue Officers from invoking the provisions of the Revenue Recovery Act for attaching crops like cardamom of the defaulters who are not in station. It was, therefore, considered necessary to amend section 7 of the Act to provide for service of the demand in writing on the defaulter.

2. Section 74 of the Act, which lays down the procedure for the service of notice, specifically referred to "notice" and "order" only. Section 7 refers only to "demand" and therefore it was considered necessary to specifically mention "demand" also in section 74.

3. As the Legislative Assembly was not in session and as the above amendments had to be made immediately, the Kerala Revenue Recovery (Amendment) Ordinance, 1983 (9 of 1983) was promulgated by the Governor on the 22nd February, 1983. A Bill to replace that Ordinance could not be introduced in and passed by the Legislative Assembly during its session which commenced on the 25th February, 1983 and ended on the 30th March 1983 and therefore the Ordinance would have ceased to operate on the 7th April, 1983, that is, at the expiration of six weeks from the reassembly of the Legislature after the promulgation of the Ordinance. In order to keep alive the amendments made by the said Ordinance, the Kerala Revenue Recovery (Amendment) Ordinance, 1983 (15 of 1983) was promulgated by the Governor on the 6th day of April, 1983.

4. A Bill to replace Ordinance 15 of 1983 by an Act of the Legislature was published in the Gazette. The Bill was introduced in the Legislative Assembly during its session which commenced on the 20th June, 1983 and ended on the 4th August, 1983. However the Bill could not be passed during the session and the Ordinance ceased to operate on the 1st day of August, 1983. In order to keep alive the amendments made by the said Ordinance, the Kerala Revenue Recovery (Amendment) Ordinance, 1983 (28 of 1983), was promulgated by the Governor on the 20th day of August, 1983.

5. The Bill seeks to replace Ordinance 28 of 1983 by an Act of the State Legislature.

FINANCIAL MEMORANDUM

The Bill, if enacted and brought into operation, would not involve any expenditure from the Consolidated Fund of the State.

P. J. JOSEPH

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Government of Kerala
1983

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Vol. XXVIII] Trivandrum, Monday, 14th November 1983 / 23rd Karthika 1905 [No. 1371

GOVERNMENT OF KERALA

Local Administration and Social Welfare (Panchayat Election) Department

NOTIFICATION

G. O. Ms. No. 185/83/LA&SWD. *Dated, Trivandrum,* 2nd *November,* 1983.

S. R. O. No. 1629/83.—In exercise of the powers conferred by sub-section (1) of section 15 of the Kerala State Rural Development Board Act, 1971 (15 of 1971), the Government of Kerala hereby make the following rules to amend the Kerala State Rural Development Board Rules, 1971 namely:—

RULES

1. *Short title and Commencement.*—(1) These rules may be called the Kerala State Rural Development Board (Amendment) Rules, 1983.

(2) They shall come into force at once.

2. *Amendment of the Rules.*—In the Kerala State Rural Development Board Rules, 1971, after sub-rule (4) of rule 4, the following sub-rule shall be inserted, namely:—

"(5) The Non-official members shall be eligible for sitting fee at the rate of Rs. 30 (Rupees Thirty only) from the fund for each sitting of the Board or Committee of the Board".

By order of the Governor,

M. S. K. Ramaswamy,
Commissioner and Secretary to Government.

33/4327/MC.

Explanatory Note

(This does not form part of the notification but is intended to indicate its general purport).

In the Kerala State Rural Development Board Rules, there is no provision for the payment of sitting fee to the non-official members of the Board. In the 69th Board meeting held on 22-12-1982, it was decided to fix the sitting fee as Rs. 30 per sitting for all non-official members of the Board as prescribed in Government Circular No. 49/82/Fin. dated 19-8-1982. This amendment is intended to make the non-official members of the Kerala State Rural Development Board eligible for sitting fee.

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EXTRAORDINARY

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Vol. XXVIII] Trivandrum, Monday, 14th November 1983 / 23rd Karthika 1905 (Saka) [No. 1372

NOTIFICATION

UNDER SECTION 13 OF KERALA SURVEY AND BOUNDARIES ACT, 1961

No. B1-1054/81. *10th November 1983.*

1. It is hereby notified under section 13 of the Kerala Survey and Boundaries Act, 1961 (Act 37 of 1961) that the survey of the undermentioned areas is now complete.

2. Unless the survey hereby notified is modified by a decree of a Civil Court under the provisions of section 14 of the said Act, the records of the survey shall be conclusive proof that the boundaries determined and recorded therein have been correctly determined and recorded.

PARTICULARS OF THE AREA

Taluk—Mukundapuram. Village—Aloor.

Sy. Nos. Completed—Sy. No. 1627/4-7, 4-8; 1642/1-4, 3-5; 1652/6-11; 1653/2-4; 1654/2-6 and 1752.

(Sd.)
Special Tahsildar (LA), Railways.

Trichur.

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